

IN THE MUNICIPAL COURT OF APPEALS
OF THE CITY OF EL PASO, TEXAS

ELIZABETH GALLARDO,

Appellant,

vs.

STATE OF TEXAS,

Appellee.

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No. 06-MCA-3095

OPINION

Appellant appeals her conviction in Municipal Court for exiting the freeway in an area where there was no exit. A fine of \$50.00 was assessed.


Appellant's main contention, although she admits exiting the freeway at an other than normal exit because of traffic congestion, is that others were doing the same thing and she was the only one stopped by the officer.

Unfortunately, this Court notes that police officers cannot always apprehend all of the traffic violators that they observe, and therefore, others who might have committed this same offense are not cited, but such fact does not present a legal defense to Appellant.

This Court cannot approve a defense that would allow a person to commit a traffic offense simply because others have also done so, but were not cited.

Therefore, no error is shown, and the Judgment of the Trial Court is affirmed.

SIGNED this 18 day of Sept, 2006.


JUDGE

JUDGMENT

This case came on to be heard on the Transcript of the Record of the Court below, the same being considered, it is ORDERED, ADJUDGED and DECREED by the Court that the Judgment be in all things affirmed in No.06-MCA-3095, and that the Appellant pay all costs in this behalf expended, and that this decision be certified below for observance.

SIGNED this 18 day of Sept, 2006.


JUDGE